

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

| | | |
|------------------------|---|---------------------------|
| UNITED STATES, et al., |) | |
| |) | |
| Plaintiffs, |) | |
| v. |) | No. 1:23-cv-00108-LMB-JFA |
| |) | |
| GOOGLE LLC, |) | |
| |) | |
| Defendant. |) | |

PLAINTIFF UNITED STATES MOTION FOR LEAVE TO FILE UNDER SEAL

Pursuant to Local Civil Rule 5(C) and the Protective Order (Dkt. 98), Plaintiffs, through their undersigned counsel, hereby respectfully move this Court to seal exhibit 4- the deposition excerpt attached to their Response in Opposition to Defendant’s Motions to Compel Responses to Various Discovery Requests. This exhibit is a deposition transcript from August 29, 2023 of a third party, Omnicom, that pursuant to protective order is currently under seal. Counsel for the Omnicom would like the full 45 days after the date of the deposition to evaluate the need for the information to remain under seal. Consistent with the local rule and this Court’s Electronic Case Filing Policies and Procedures, undersigned counsel have filed the exhibit at issue using the sealed filing event on CM/ECF and hereby certify that they will serve a copy on opposing counsel and deliver a copy to this Court in a separate container labeled “UNDER SEAL.” The grounds for this motion are contained in the memorandum of law concurrently filed in support of this motion. A proposed order is attached for the Court’s convenience.

Dated: September 13, 2023

Respectfully submitted,

JESSICA D. ABER
United States Attorney

s/ Gerard Mene
Gerard Mene
Assistant U.S. Attorney
2100 Jamieson Avenue
Alexandria, VA 22314
Telephone: (703) 299-3777
Facsimile: (703) 299-3983
Email: Gerard.Mene@usdoj.gov

/s/ Julia Tarver Wood
JULIA TARVER WOOD
/s/ Michael Wolin
Michael Wolin
/s/ Katherine Clemons
Katherine Clemons
/s/ Michael J. Freeman
MICHAEL J. FREEMAN

United States Department of Justice
Antitrust Division
450 Fifth Street NW, Suite 7100
Washington, DC 20530
Telephone: (202) 307-0077
Fax: (202) 616-8544
Email: Michael.Freeman@usdoj.gov

Attorneys for the United States